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Director & State Health Officer

State of California—Health and Human Services Agency
California Department of Public Health

DRINKING WATER FIELD OPERATIONS BRANCH

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EDMUND G. BROWN JR.
Governor

December 16, 2013

Mr. Frank Perez
Rancho De La Fuente
2290 Soda Bay Road
Lakeport, CA 95453

RE: Rancho De La Fuente
Citation No. 02-03-13C-020-1700723-23

Dear Mr. Perez:

Enclosed is a citation issued to Rancho De La Fuente (Water System). The citation is being issued because the Water System failed to comply with the monthly bacteriological monitoring requirement during the month of September 2013.

The Citation consists of seven sections. The Determinations section describes the violation which resulted in the issuance of this Citation. The Directives section specifies what notifications are required, how and when to complete the notifications, and what required actions must be taken by the Water System to return to compliance.

Your Water System will be billed at the Department's current hourly rate of \$126.00 for the time spent issuing this Citation and any follow-up time required of Department staff to ensure compliance. The Water System will receive a bill from our Fee Billing Unit in Sacramento. If you have any questions regarding this matter, please contact Lori Hanson or myself at (707) 576-2145.

Sincerely,

Michelle Floyd Frederick, P.E.
District Engineer
Mendocino District

Enclosure: Citation No. 02-03-13C-020-1700723-23

c: Lake County Health Department

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH

Name of Public Water System: Rancho De La Fuente

Water System No: 1700723

To: Rancho De La Fuente
2290 Soda Bay Road
Lakeport, CA 95453

Issued: December 16, 2013

CITATION FOR NONCOMPLIANCE
TOTAL COLIFORM MONITORING AND REPORTING VIOLATION
September 2013

Chapter 4, Article 9, Section 116650 of Part 12 of Division 104 of the California Health and Safety Code (CHSC), authorizes the issuance of a citation for failure to comply with a requirement of Chapter 4 (California Safe Drinking Water Act), or any regulation, standard, permit or order issued thereunder.

The Division of Drinking Water and Environmental Management of the California Department of Public Health (Department) hereby issues a citation to Rancho De La Fuente (Water System) for failure to comply with the California Code of Regulations (CCR), Title 22, Section 64423.



APPLICABLE AUTHORITIES

Section 116650 of the CHSC states in relevant part:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.



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2 California Code of Regulations (CCR), Section 64423 states in relevant part:

3
4 (a) Each water supplier shall collect routine bacteriological water
5 samples as follows:

6 (1) The minimum number of samples for community water
7 systems shall be based on the known population served or the
8 total number of service connections, whichever results in the
9 greater number of samples, as shown in Table 64423-A.

10 (2) The minimum number of samples for nontransient-
11 noncommunity water systems shall be based on the known
12 population served as shown in Table 64423-A during those
13 months when the system is operating.

14 **STATEMENT OF FACTS**

15 As of the date of this Citation, the Division of Drinking Water and
16 Environmental Management of the Department of Public Health has not
17 received results for a routine bacteriological sample collected from the
18 distribution system of Rancho De La Fuente during September 2013.

19 **DETERMINATIONS**

20 The Department has determined that the failure to collect a routine
21 bacteriological sample from the distribution system of the Rancho De La
22 Fuente water system during the month of September 2013 is a violation of
23 Section 64423, Title 22, of the California Code of Regulations. The
24 Department hereby issues a citation to Rancho De La Fuente for failure to
25 comply with Section 64423, Title 22, of the California Code of Regulations.
26
27



DIRECTIVES

Rancho De La Fuente is hereby directed to take the following actions:

1. Comply with Section 64423, Title 22, of the CCR in all future monitoring periods.
2. Notify all persons served by the Water System of the failure to sample, in conformance with Section 64463.4 and Section 64465, Title 22 of the CCR. Notification must be completed in accordance with each of the following:
 - a) Completion of Attachment A to include the name, address, and telephone number of a water system official as a source of additional information concerning the public notice. **You must also give a legible, written description (preferably typed) of the corrective actions taken by the water system to prevent this violation from occurring in the future. You must use the space provided on Attachment A for this written description.**
 - b) Posting the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in conspicuous locations throughout the area served by the System. Posting must begin no later than **January 16, 2014** and must continue for seven days.
 - c) Publication of the notice contained in Attachment A, **after it has been completed in accordance with (a) above**, in a local newspaper. This notice must be published for one day. The publication in a local newspaper must be completed by **January 16, 2014**.



1
2 d) Provide public notice for this violation in accordance with Section
3 64465(c), Title 22 or the CCR, which requires for each non-
4 English speaking group that exceeds 1,000 residents or 10% of
5 the residents in a community (whichever is less), that the public
6 notice contain information in the appropriate language(s)
7 regarding the importance of the notice, or it must contain a
8 telephone number or address where such residents may contact
9 the System to receive a translated copy of the notice or to receive
10 assistance in the appropriate language. The required Spanish
11 language is already included in Attachment A.

12 3. A representative of Rancho De La Fuente shall complete the
13 attached Compliance Certification form and return it to the
14 Department by **January 30, 2014. A copy of the notice delivered**
15 **to the customers and a copy of the notice published in the**
16 **newspaper must be attached to the form.**

17
18 All documents required by this Citation shall be submitted to the Department
19 at the following address:

20 Michelle Floyd Frederick, P.E.
21 Department of Public Health
22 Drinking Water Field Operations Branch
23 50 D Street, Suite 200
24 Santa Rosa, CA 95404

25 The Department reserves the right to make such modifications to this
26 Citation as it may deem necessary to protect public health and safety. Such
27 modifications may be issued as amendments to this Citation and shall be
effective upon issuance.



PARTIES BOUND

This Citation shall apply to and be binding upon the System, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this Citation are severable, and the System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.



FURTHER ENFORCEMENT ACTION

Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California Health and Safety Code authorizes the Department to: issue additional citations with assessment of penalties if the System continues to fail to correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. The Department does not waive any further enforcement action by issuance of this citation.

Michelle F. Frederick

Michelle Floyd Frederick, P.E.
District Engineer
Mendocino District
Drinking Water Field Operations Branch

Dec 16, 2013
Date

Attachments

Certified Mail No. 7012 1010 0000 3983 8214



1700723/File #4-Compliance
02-03-13C-020-1700723-23/LSH



COMPLIANCE CERTIFICATION

Citation Number 02-03-13C-020-1700723-23

Name of Water System: **Rancho De La Fuente**

System Number: 1700723

Certification

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of September 2013. In addition, I certify that the Rancho De La Fuente water system complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Complete Attachment A, as required in Directive 2(a)	
Public Notification – Posting for Seven Days	
Public Notification – Newspaper Publication	

Signature of Water System Representative

Date

Attach a copy of the notice delivered to the customers and a copy of the notice published in the newspaper.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN JANUARY 30, 2014
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Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

Attachment A

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene informacion muy importante sobre su agua potable. Traduzcalo o hable con alguien que lo entienda bien.

Rancho De La Fuente Failed to Test Drinking Water for Coliform Bacteria in September 2013

Our water system failed to test the drinking water for coliform bacteria during September 2013. Although this is not an emergency, as our customers, you have a right to know about this violation -- what happened, what you should do, and what we did to correct the situation. Please share this information with other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this notice in a public place or giving out copies by hand or mail.

What happened?

We are required by state regulations to monitor our drinking water for specific contaminants on a regular basis. Results of this routine monitoring are an indicator of whether or not the drinking water meets health standards. During September 2013 we did not test for coliform bacteria and therefore cannot be sure of the bacteriological quality of the drinking water during that time.

What does this mean?

Coliforms are bacteria that are naturally present in the environment and are used as an indicator that other, potentially harmful, bacteria may be present. Coliform bacteria may originate from human, animal, or soil sources. If the coliform sampling is done and coliform standards are met, the water served can be considered safe from bacteria. If they are not met, drinking the water may not necessarily result in illness, but that possibility exists. Routine and follow up sampling are important to periodically verify the water quality. Our failure to test the drinking water for bacteria during September 2013 was a violation of Section 64423, Title 22 of the California Code of Regulations (CCR).

What should I do?

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

What corrective actions have been taken to prevent this violation from occurring in the future?

This notification of the public is being done in compliance with Sections 64463.4 and 64465, Title 22 of the CCR as a means of keeping the public informed.

Persons wishing more information should contact:

(name)

(address)

(phone number)

To all School Administrators, Rental Property Owners, and Business Property Owners:

You must provide public notification within 10 days of the receipt of the following notice from Rancho De La Fuente [Health and Safety Code Section 116450(g)]. The notification must be provided as follows:

SCHOOLS: Must give written notification to school employees, students, and parents (if the students are minors).

RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including but not limited to apartment complexes, nursing home facilities, other care facilities): Must give written notification to tenants/patients. Must give written notification to employees (if applicable).

BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS (including but not limited to restaurants, stores, hospitals, churches, clubs, daycare facilities, offices, other businesses): Must give written notification to employees and members. Must post in conspicuous places for customers/visitors.